

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ADAM P. FAUST, et al.

Plaintiff(s),

v.

TELEPHONE SCHEDULING CONFERENCE

Case No. 21-C-548

THOMAS J. VILSACK, et al.,

Defendant(s).

HONORABLE WILLIAM C. GRIESBACH presiding
Proceeding Held: July 20, 2021
Deputy Clerk: Cheryl

Time Called: 11:00 a.m.
Time Concluded: 11:08 a.m.
Tape: 072021

Appearances:

Plaintiff(s): Daniel P. Lennington

Defendant(s): Christian R. Larsen, Kyla Snow and Emily Newton

Amicus: Randolph Chen

The Court notes that the motions to intervene and the government's motion to stay remain pending. The Court states that the government's motion to stay is based on the class action pending in the Northern District of Texas. The class certification has been granted in the Texas case and plaintiffs may proceed in that case. Mr. Lennington states that the class action will send notices and there may not be an opt-out provision. Plaintiffs would be a member of that case if they are not able to opt-out. The plaintiffs' stance in this case is that this case should move forward.

The Court inquires if it is not possible to opt-out of a case. Mr. Lennington states that he is researching that question.

Ms. Newton states that conflicting judgments in different/multiple districts pose a problem, therefore, a stay in this case is appropriate.

The Court defers scheduling until the motion to stay is resolved.